

REMARKS

Discussion of Claim Rejections Under 35 U.S.C. § 103(a)

Applicant respectfully requests consideration of new claims 49-76 in lieu of cancelled claims 1-8, and 30-48 rejected under 35 U.S.C 103(a) as being unpatentable over Yurt et al. (Yurt), U.S. Patent No. 5,132,992 in view of Katseff et al. (Katseff), U. S. Patent No. 5,822,537. Applicant has added these new claims and cancelled claims 1-8, and 30-48 in view of the interview with the examiner on July 22, 2003.

Yurt relates to a system having a headend that transmits encoded video signal to a receiver that receives the encoded video signal, and then decodes the video signal using a hardware decoder. The Yurt system provides encoded media data to a user cable television decoder when an operator using a data terminal directly connected to the headend sends a signal to the headend to transmit the encoded video signal to a user on a cable television decoder.

Katseff provides a server with computer-readable storage containing compressed video data that is transmitted upon request by an information retrieval system (50) to a user workstation. The user at a workstation can enter a search query that is provided to the information retrieval system. The information retrieval system then searches a database for an index of data matching the query. The result of the search is provided to the workstation. The user then selects the result of the search on the workstation. In response to the selection, the workstation transmits the selection the information retrieval system. The information retrieval system then retrieves the data from the compressed video data from the server using an index on the information retrieval system indicating where video data storage locations.

Applicant in claims 49 – 76 distinguish over by including a unique file identifier. Further as specifically stated in the claim 49 (with similar language in independent claims 58 and 68) :

“said unique file identifier being capable of being displayed by the client networked device and of being selected using an input device coupled to the client networked device, said processor operative in response to a selection of the unique file identifier to generate a request via the communication network to receive digital encoded media data from the

location or address in the remote servers' memory on one or more remote servers where said digital encoded media data is stored, said media data buffer operative, in response to a receipt of the request to receive digital encoded media data from the location or address in the remote servers' memory on the one or more remote servers, to receive digital encoded media data via the communication network from said location or address in the one or more remote servers' memory coupled with said one or more remote servers"

Neither of the references (Yurt or Katseff) shows nor suggests selecting a unique file identifier using an input device. Nor do the references show generating a request in response to the selection a request to receive digital encoded media from the location/address on the server. Applicants claims subject matter that has advantages over the cited references, including but not limited to eliminating the need for an information retrieval system, permitting the client network device to receive media data directly from the server in response to user selections on the client networked device, and allowing a user to enable (through the use of an input device, including but not limited to a mouse or keyboard) the client networked device to interactively request digital encoded media data to be transmitted to the client networked device from a remote server.

Since Applicant respectfully submits that the rejections under 35 U.S.C. § 103(a) have been overcome by this declaration, Applicant respectfully submits that Claims 49-76 are in condition for allowance.

Summary

Applicants has added claims new Claims 49-76 and have cancelled claims 1-8 and 30-48. Applicant has endeavored to address all of the Examiner's concerns as expressed in the outstanding Office Action. Accordingly, amendments to the claims for patentability purposes, the reasons therefore, and arguments in support of the patentability of the pending claim set are presented above. Any claim amendments that are not specifically discussed in the above remarks are not made for patentability purposes, and the claims would satisfy the statutory requirements for patentability without the entry of such amendments. In addition, such amendments do not narrow the scope of the claims. Rather, these amendments have only been made to increase claim readability, to improve grammar, and to reduce the time and effort required of those in the art to clearly understand the scope of the claim language. In light of the above

amendments and remarks, reconsideration and withdrawal of the outstanding rejections is specifically requested. If the Examiner has any questions, which may be answered by telephone, he is invited to call the undersigned directly.

Respectfully submitted,



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